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UNITED STATES DISTRICT COURT  
DISTRICT OF NEVADA

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CHARLES ADRIAN FORD,  
  
Petitioner,  
  
v.  
  
STATE OF NEVADA, et al.,  
  
Respondents.

Case No. 2:17-cv-00112-RFB-VCF  
  
ORDER

Petitioner has filed a motion for leave to file a second amended petition, substituting the correct respondent. (ECF No. 23). Petitioner also seeks leave to file an additional exhibit in support of her second amended petition. Respondents have not opposed.

Under Federal Rule of Civil Procedure 15(a)(2), leave to amend should be freely given “when justice so requires.” But leave to amend “is not to be granted automatically,” and the court “considers the following five factors to assess whether to grant leave to amend: (1) bad faith, (2) undue delay, (3) prejudice to the opposing party, (4) futility of amendment; and (5) whether plaintiff has previously amended his complaint.” *In re W. States Wholesale Natural Gas Antitrust Litig.*, 715 F.3d 716, 738 (9th Cir. 2013) (internal punctuation omitted).

The Court finds that none of the factors above weighs against allowing the limited amendment sought here, especially as respondents do not oppose petitioner’s motion. Accordingly, IT IS THEREFORE ORDERED that petitioner’s motion for leave to file a second amended petition and additional exhibit in support thereof (ECF No. 23) is GRANTED. Petitioner will file the second amended petition and the additional exhibit and index on the docket within ten days of the date of this order.

1 IT IS FURTHER ORDERED that respondents' motion for enlargement of time (ECF No.  
2 24) is GRANTED. Respondents will have sixty days from the date of entry of this order to answer  
3 or otherwise respond to the second amended petition.

4 DATED this 22nd day of July, 2019.



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RICHARD F. BOULWARE, II  
UNITED STATES DISTRICT JUDGE